

REMARKS

Claims 1-19 are all the claims pending in the application, of which claims 8-11 and 17-19 have been withdrawn from consideration.

Claim Objection

Claim 6 is objected to because of a minor informality. Applicants have amended claim 6 to overcome the objection. Thus, withdrawal of the objection is respectfully requested.

Claim Rejections - 35 USC § 112

Claim 3 is rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, the Examiner alleges that the specification does not teach a battery element partially enclosed between the pair of laminate films wherein the battery element includes a positive electrode and a negative electrode (see Office Action, page 4).

Applicants have amended claim 1 to delete the word “partially.” It is respectfully submitted that a battery element that is enclosed and as recited in claim 3, is supported by the specification (e.g., see paragraph [0023]).

Therefore, withdrawal of the present rejection is respectfully requested.

Claim Rejections - 35 USC § 102

Claims 1-7, 12-13, and 15-16 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Bannai et al. (US 6,503,656; hereinafter “Bannai”). Claims 1 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshida et al. (WO 01/56097; hereinafter “Yoshida”).

By this Amendment, Applicants have incorporated claim 14 into claim 1, and have further amended claim 1 to recite that the cross-linked structure is formed only in the second area.

Regarding Bannai, the Examiner alleges that area 5 (area with cross-linked structure) is disposed “inside” area 4 (heat-sealable area) (see Office Action, page 5). However, Bannai does not disclose or suggest an area having a cross-linked structure formed where the laminate film contacts the battery element (see FIG. 4).

Regarding Yoshida as it relates to claim 14, the Examiner alleges that Yoshida teaches this feature in FIGS. 1 and 2.

However, Yoshida merely describes that the acrylate resin which has a cross-linked structure can be used as the laminate films which enclose a battery element (column 3, line 10). In other words, the cross-linked structure may be formed as an entire laminate layer.

On the other hand, in claim 1, the cross-linked structure is formed only in the second area, and the second area of each of the laminate films is formed substantially only in an area where said laminate film contacts the battery element that is inside laminate film.

Therefore, claim 1 should be patentable over Bannai and Yoshida because neither of these references disclose or suggest forming a cross-linked structure substantially only in an area where the laminate film contacts the battery element.

It is respectfully submitted that claims 2-7 and 12-16 are patentable at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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